



## Periodic Review / Retain Regulation Agency Background Document

<b>Agency name</b>	Virginia Department of Health
<b>Virginia Administrative Code (VAC) citation</b>	12 VAC 5-542
<b>Regulation title</b>	Guidelines For The Virginia Nurse Practitioner/Nurse Midwife Scholarship Program
<b>Document preparation date</b>	

This form is used when the agency has done a periodic review of a regulation and plans to retain the regulation without change. This information is required pursuant to Executive Orders 36 (2006) and 58 (1999).

### Legal basis

*Please identify the state and/or federal legal authority for the regulation, including (1) the most relevant law and/or regulation, and (2) promulgating entity, i.e., agency, board, or person.*

The State Board of Health has adopted these regulations in order to implement Sections 23-35.9 through 23-35.13 and as authorized by Section 32.1-122.6:02 of the Code of Virginia. Sections 23-35.9 and 32.1-122.6:01 of the Code authorize the Board of Health to award annual scholarships for students enrolled as a full-time graduate student in a nurse practitioner program in the State of Virginia or a nurse midwife program in the State of Virginia or in a nearby state.

The Office of the Attorney General has certified that the Board of Health has proper authority to promulgate this regulation.

### Alternatives

*Please describe all viable alternatives for achieving the purpose of the existing regulation that have been considered as part of the periodic review process. Include an explanation of why such alternatives were rejected and why this regulation is the least burdensome alternative available for achieving the purpose of the regulation.*

The State Health Commissioner, as executive officer of the Board of Health, sees no viable alternative for achieving the purpose of the existing regulation.

**Public comment**

*Please summarize all comments received during the public comment period following the publication of the Notice of Periodic Review, and provide the agency response. Please indicate if an informal advisory group was formed for purposes of assisting in the periodic review.*

Commenter	Comment	Agency response

VDH did not receive any public comment regarding the regulations during the period in which they were reviewed.

**Effectiveness**

*Please indicate whether the regulation meets the criteria set out in Executive Order 36, e.g., is necessary for the protection of public health, safety, and welfare, and is clearly written and easily understandable.*

Currently, there are five (5) \$5,000 scholarships available per fiscal year. For each annual scholarship awarded, practitioners are to provide medical care in a medically underserved area or health professional shortage area in Virginia for one year. This scholarship program has benefited the public's health by increasing the number of qualified nurse practitioners/nurse midwives practicing in medically underserved areas and health professional shortage areas in the Commonwealth of Virginia.

**Result**

*Please state that the agency is recommending that the regulation should stay in effect without change.*

VDH recommends that the regulations be retained. No amendments are recommended at this time.

**Family impact**

*Please provide an analysis of the regulation's impact on the institution of the family and family stability.*

Overall, this regulation has a positive impact on the institution of the family and family stability. Helping nursing students with their educational expenses will save disposable family income and increase potential earnings for the future. In addition, increasing the availability of clinicians in medically underserved areas will benefit the health of those communities and families.